



December 11, 2018

Salmon-Challis National Forest
ATTN: Forest Plan Revision Team
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Submitted via electronic mail

Re: Comments on Salmon-Challis National Forest Wilderness Evaluation Process

Dear Forest Plan Revision Team:

Please accept and fully consider these comments submitted on behalf of The Wilderness Society (TWS) on the Salmon-Challis National Forest's (SCNF) Wilderness Evaluation Process. TWS has worked to protect wilderness and wild places since 1935. Since early 2016, we have invested significant time and resources in preparing for engagement in the SCNF's mandatory wilderness recommendation process, including conducting an intensive, field-verified inventory and evaluation of SCNF lands suitable for inclusion in the National Wilderness Preservation System (NWPS). We believe the protocol for and results of our inventory and evaluation – which were submitted to the SCNF recreation staff in December of 2017 and to the SCNF plan revision team during the pre-assessment comment period in the spring of 2017 – represent the best available scientific information that the Forest Service is obligated to utilize under the 2012 planning rule, 36 C.F.R. § 219.3.

We appreciate the work the SCNF has done to complete the wilderness recommendation inventory and begin the wilderness recommendation evaluation prior to initiating the NEPA process for the plan revision – including finalizing a robust inventory of lands that may be suitable for inclusion in the NWPS, consistent with the direction in Chapter 70 of the Forest Service Land Management Planning Handbook (FSH) 1909.12. Nevertheless, we have significant concerns with the forest's wilderness evaluation process: in particular, the unprecedented approach of using road density as a proxy for wilderness characteristics, which has resulted in the arbitrary downgrading of a significant portions of the final

wilderness inventory. Major course-correction is necessary at this point. We have articulated our concerns in this preliminary comment letter and request an opportunity to discuss them in more detail with SCNF and Intermountain Regional Office staff prior to the January 31, 2018 comment deadline so that we can tailor additional comments and feedback based on ongoing dialogue with agency staff and decision-makers.

I. Public Transparency Around Process

As an initial matter, we believe **the SCNF must improve transparency around the wilderness recommendation process**. Chapter 70 instructs the Forest Service to provide opportunities for public participation and collaboration “[e]arly and during each step of the process.” FSH 1909.12, ch. 70, § 70.61. Many forests implementing Chapter 70 around the country have in recent years implemented a best practice of releasing their draft process paper/methodology for the relevant step (e.g., inventory or evaluation) for public review and input *prior* to releasing the draft results of that step. This sequential approach ensures an opportunity to educate and engage the public about the upcoming process, attempt to reach a common understanding of the agency’s obligations and decision-space, and hopefully avoid misunderstandings and misinformation. It also aids in efficiency by facilitating a public discussion and vetting of the forest’s planned process and approach – and allowing for any necessary course-correction – before the forest invests the time and resources in actually conducting the step.

It is our opinion that the SCNF has not successfully implemented this best practice. The forest released its inventory process paper only after it posted its draft and final inventories, and it released its wilderness evaluation process paper and draft wilderness evaluation polygons simultaneously.¹ These releases were made with minimal notice and explanation to the public. The SCNF’s approach is particularly concerning given the significant deficiencies with and unprecedented nature of its wilderness evaluation process to date, as described below. Now that the draft wilderness evaluation polygons have been posted, the SCNF may be less inclined to correct course and has missed a valuable opportunity for public dialogue about the evaluation, how it fits into the larger wilderness recommendation process, and the appropriate criteria to consider at this stage versus latter stages. Moreover, the evaluation process paper that was released focuses almost exclusively on the forest’s unprecedented approach of using road density as a proxy for wilderness characteristics and a metric for downgrading a significant proportion of the final wilderness inventory. It fails to explain what will happen next, including if, when, and how the SCNF will apply the wilderness evaluation criteria from section 2(c) of the Wilderness Act of 1964 to all lands identified in the inventory, as required under Chapter 70. **The SCNF should prepare and release for public review and comment a draft wilderness evaluation process paper that describes how it will apply the wilderness evaluation criteria to all lands identified in the final inventory. After considering public input on that process paper, the SCNF should**

¹ In fact, the SCNF posted its draft wilderness evaluation polygons on its interactive storymap, available at <https://usfs.maps.arcgis.com/apps/MapSeries/index.html?appid=ac08187487ef4e42bbbd82804dde8147>, at least a week before releasing its process paper.

release for public review a draft wilderness evaluation results, including maps and narratives, and the final evaluation process paper describing its methodology.

II. Unprecedented and Arbitrary Criteria & Results

Next, **the SCNF's approach of using road density as a proxy for wilderness characteristics and a metric for downgrading a significant proportion of the final wilderness inventory is arbitrary, inconsistent with Chapter 70, and unprecedented.** According to the wilderness evaluation process paper, "[b]ecause there is a correlation between roaded areas of the forest and areas where activities and other improvements have occurred, we used road density as a surrogate to consolidate areas into two distinct groupings for this evaluation: those inventoried areas that are mostly roaded and those that are not." Process Paper at 1. "[I]nventoried areas with roaded areas of greater than 50 percent" were categorized as "Evaluation Areas," while "inventoried areas with roaded areas of less than 50 percent of the area" were categorized as "Focal Evaluation Areas." *Id.* at 2-3. It is unclear how the two categories will be addressed going forward. This approach suffers from numerous flaws.

First, Chapter 70 requires the Forest Service to evaluate "all lands identified in the inventory," utilizing the criteria from section 2(c) of the Wilderness Act of 1964. FSH 1909.12, ch. 70, § 72.1. Chapter 70 permits the Responsible Official to "divide or consolidate lands identified in the inventory into grouped areas for the purpose of evaluation" and to "vary the scope of the evaluation based on the specific characteristics of each area or portions thereof." *Id.* § 72. This language – which has typically been used, for instance, to combine small areas adjacent to the same designated wilderness area into a single group for purposes of evaluating their similar wilderness characteristics – does not absolve the agency of its obligation to apply the criteria from the Wilderness Act to all inventoried lands. It does not support the use of a surrogate for applying that required criteria, and it does not permit the Forest Service to downgrade areas prior to applying the criteria. Consistent with the requirement to conduct a "reasonably broad and inclusive inventory," FSH 1909.12, ch. 70, § 71, the SCNF properly took a "conservative approach to eliminating areas from consideration during the inventory step to allow for a more robust discussion about areas during evaluation." SCNF Wilderness Inventory Process Paper at 1. That robust discussion, however, will not occur if inventoried areas are preliminarily downgraded and not fully evaluated. **The SCNF must clarify that it will apply the wilderness evaluation criteria to all lands included in the inventory, regardless of their road density or categorization.**

Second, the road density surrogate and methodology for applying it appears arbitrary and unsupported. The process paper provides inadequate methodological information for how the SCNF applied the road density surrogate. Despite our careful review of the process paper and associated maps, close familiarity with the wilderness inventory units, and extensive technical and policy expertise, it is not clear from publicly available information how the SCNF determined which "inventoried areas [have] roaded areas of greater than [or less than] 50 percent of the area." Nor do we understand how the SCNF determined that 50 percent of the area is an appropriate metric, why this is an appropriate threshold, or how or why the SCNF identified it as an appropriate surrogate for wilderness characteristics. The 50 percent figure appears completely arbitrary and unsupported by any information other than generalized statements about human activities generally accompanying roads.

Based on our conversations with SCNF staff, it appears the agency buffered all forest system roads (maintenance level (ML) 1-5) by ¾-mile and considered the corresponding area within the boundaries of the wilderness inventory units to categorize areas as above or below the arbitrary 50% threshold. We do not understand why the use of a buffer would be appropriate at all, or, if it was, why ¾-mile was used. That figure also appears completely arbitrary. Nor do we understand why roads outside of an inventory unit are relevant to wilderness characteristics inside the unit, and why the buffering of those roads is appropriate at all. Wilderness character is judged on the boundary of a unit looking in, and wilderness inventory units (and often designated Wilderness) are typically defined by boundary roads. Moreover, closed ML 1 roads within a unit generally have little-to-no adverse effect on wilderness characteristics, which is why those roads are not disqualifying. See FSH 1909.12, ch. 70, § 71.22a. While a swarm of ML1 roads might detract from an area's apparent naturalness, that is a site-specific inquiry that must be addressed through evaluation of "the degree to which the area generally appears to be affected primarily by the forces of nature, with the imprints of man's work substantially unnoticeable," *id.* § 72.1 – not through an arbitrary road density calculation that lumps ML1 roads inside a unit with other system roads outside the unit.

Third, application of the SCNF's arbitrary and unsupported methodology has resulted in arbitrary results, including areas the downgrading of areas with high wilderness character that are suitable for inclusion in the NWPS (as assessed using the wilderness evaluation criteria in Chapter 70). For instance, TWS inventoried the over 77,000-acre King Mountain area in the southern portion of the Lost River Range (referred to as the Sunset King unit by the SCNF) in 2017 and documented its naturalness, important wildlife habitat, rich cultural history, outstanding natural features, and other wilderness characteristics (see attached report). Yet the SCNF road density surrogate approach improperly categorized this outstanding area as mostly roaded, providing a compelling example of how the methodology simply does not work in practice. Similar examples include the Wheetip Creek unit and the Porphry Peak unit. Other polygons that do not display high wilderness character on the ground are ranked in the higher/unroaded category of the draft wilderness evaluation. In other words, the process of using road density as a proxy for wilderness character is a poor one that does not reflect actual wilderness character of units, nor does it follow the agency's own guidance for evaluating wilderness character in Chapter 70.

Given these numerous and significant flaws, it is not surprising that the SCNF's approach represents a significant outlier. Indeed, TWS has tracked and engaged in every wilderness recommendation process utilizing the new planning rule and directives since 2012 and can say with certainty that the SCNF approach is unprecedented. **The SCNF must abandon its road density surrogate approach and instead apply the wilderness evaluation criteria to evaluate all the lands included in the final inventory. Prior to doing so, the SCNF should release a draft wilderness evaluation process paper for public review and comment that articulates how it will apply the criteria from section 2(c) of the Wilderness Act, as required by Chapter 70.**

We look forward to meeting with SCNF and Intermountain Regional Office staff in the coming weeks to discuss these issues in more detail. We will contact you shortly about setting up a meeting to do so. In the meantime, please do not hesitate to contact us with any questions.

Sincerely,

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